

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Jeffrey Szostek,

Plaintiff,

v.

Case No. 14-11531

Commissioner of Social Security,

Honorable Sean F. Cox

Magistrate Judge Elizabeth A. Stafford

Defendant.

ORDER
ACCEPTING AND ADOPTING REPORT & RECOMMENDATION

This is a social security appeal. On April 16, 2014, Plaintiff Jeffrey Szostek filed his Complaint against the Commissioner of Social Security, appealing an Administrative Law Judge's denial of his application for disability insurance benefits. (Doc. #1).

The parties filed cross-motions for summary judgment. (Pl. Mo., Doc. #11; Def.'s Mo., Doc. #13). The motions were ultimately referred to Magistrate Judge Elizabeth A. Stafford for issuance of a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). (Doc. #3, Doc. #16).

On August 10, 2015, Magistrate Judge Stafford issued a Report and Recommendation ("R&R") wherein she recommended that this Court GRANT IN PART and DENY IN PART Plaintiff's Motion for Summary Judgment, DENY Defendant's Motion for Summary Judgment, REVERSE the Commissioner's decision and REMAND the case for the award of a closed period of benefits from March 17, 2006 to May 17, 2008. (R&R, Doc. #17).

Pursuant to Civil Rule 72, a party objecting to the recommended disposition of a matter by

a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. Fed. R. Civ. P. 72(b)(2). “The district judge must determine *de novo* any part of the magistrate judge’s disposition that has been properly objected to.” Fed. R. Civ. P. 72(b)(3).

Neither party has filed objections to the R&R and the time for doing so has passed. Furthermore, the Court agrees with the Magistrate Judge’s recommendation. Therefore, the Court hereby ADOPTS the August 10, 2015 R&R. IT IS ORDERED that Plaintiff’s Motion for Summary Judgment (Doc. #11) is GRANTED IN PART and DENIED IN PART, Defendant’s Motion for Summary Judgment (Doc. #13) is DENIED, the Commissioner’s decision is REVERSED, and the case is REMANDED with instructions to award Plaintiff a closed period of benefits from March 17, 2006 to May 17, 2008.

IT IS SO ORDERED.

S/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: September 2, 2015

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 2, 2015, by electronic and/or ordinary mail.

S/Jennifer McCoy
Case Manager